




CITY COUNCIL ACTION REQUEST

Department: Economic Development and Cultural Affairs	CEQA: Categorically Exempt, File No. PP18-029, CEQA Guidelines Section 15301, Existing Facilities.	Coordination: City Attorney's Office, City Manager's Budget Office, DOT, PBCE	Dept. Approval: /s/ Nanci Klein
Council District: 7			CMO Approval:  9/16/2021

SUBJECT: PERMANENT SIDEWALK EASEMENT BETWEEN THE CITY OF SAN JOSE AND THE CENTER FOR TRAINING AND CAREERS, INC.

RECOMMENDATION:

Adopt a resolution authorizing the City Manager, or her designee, to execute an Easement Agreement with the Center for Training & Careers, Inc, ("The Center"), and all documents necessary to acquire a permanent sidewalk easement for modification and maintenance of an existing traffic signal and pedestrian access ramp, for a price of \$0.

BASIS FOR RECOMMENDATION:

The Department of Transportation (DOT) is implementing a project to modify the existing traffic signal at Remillard Court and Story Road and make ADA compliant enhancements to pedestrian and bicycle facilities along the Coyote Creek Trail system. An enhanced trail crossing will be constructed along the west leg of the traffic signal at Story Road and Remillard Court. Pedestrian enhancements include improvements to existing crosswalks, expanded sidewalks, and upgraded ADA ramps. These improvements provide space for new infrastructure, while accommodating pedestrian travel that would otherwise be narrowed and inaccessible to persons with limited mobility. Construction is anticipated to be complete in Winter 2021. The project is being developed in conjunction with trail construction, now underway, between William Street and Phelan Avenue along Coyote Creek.

It is necessary for the City to acquire a permanent sidewalk easement from the Center at the northeast corner of the intersection to construct the necessary street improvements and secure access for the operation and maintenance of underground utilities. The easement area is an approximately 26 square foot portion of Assessor's Parcel Number 472-11-079, described in the attached "Description of Easement Area" and "Plat Map of Easement Area." The Center has agreed to provide the sidewalk easement to the City at no cost.

Commission Recommendation/Input: No commission recommendation or input is associated with this action.

Climate Smart San Jose: The recommendation in this memo aligns with one or more Climate Smart San José energy, water, or mobility goals by facilitating mobility choices other than single-occupancy, gas-powered vehicles.

COST AND FUNDING SOURCE:

This resolution has no fiscal impact. No costs are associated with this action.

FOR QUESTIONS CONTACT: Kevin Ice, Senior Manager, Real Estate Services at (408) 535-8197.

Description of Easement Area

All that certain real property situate in the City of San José, County of Santa Clara, State of California, being a portion of PARCEL No. 3, as shown on that certain parcel map recorded February 28, 1975, in Book 352 of Maps at Page 5, Santa Clara County Records, and being more particularly described as follows:

COMMENCING at the southeasterly corner of Parcel No. 3, as shown on said Map recorded in Book 352 of Maps, Page 5;

Thence along the northwesterly line of Story Road, South 49° 44' 06" West, 123.01 feet to the **TRUE POINT OF BEGINNING** of this description;

Thence along a tangent curve to the right having a radius of 30.00 feet, through a central angle of 39° 12' 49", an arc length of 20.53 feet;

Thence leaving said northwesterly line of Story Road, North 8° 32' 43" East, 3.37 feet;

Thence along a non-tangent curve to the left, with a radial bearing of South 14° 39' 58" West, a radius of 21.55 feet, a central angle of 51° 33' 36", and an arc length of 19.39 feet to the **TRUE POINT OF BEGINNING**.

Containing approximately 26 square feet, more or less.

The Basis of Bearing for this description is the centerline of Story Road as shown on that particular parcel map filed for record February 28, 1975, in Book 352 of Maps at Page 5, Santa Clara County Records.

Attached hereto and by reference a part hereof is a plat labeled "PLAT TO ACCOMPANY DESCRIPTION OF REAL PROPERTY" depicting the subject property.

This description was prepared from record information.

The above description of real property was prepared by me, or under my supervision, in conformance with the requirements of Section 8726 (g, k, l, m) of the Business and Professions Code of the State of California.



A handwritten signature in blue ink, appearing to be "S G", written over a horizontal line.

Steve G. Choy, PLS 6672

Plat Map of Easement Area

